

COMMON COUNCIL MEETING MINUTES

MONDAY, OCTOBER 16, 2006 – 6:00 P.M.
COUNCIL CHAMBERS/CITY HALL/ONE CIVIC SQUARE

MEMBERS PRESENT:

Mayor James Brainard, Council President Richard L. Sharp, Council Members Kevin Kirby, Brian D. Mayo, Joseph C. Griffiths, Fredrick J. Glaser, Ronald E. Carter, Mark Rattermann, Clerk-Treasurer Diana L. Cordray and Deputy Clerk-Treasurer Lois Fine.

Mayor Brainard called the meeting to order at 6:03 p.m.

Pastor Paul Schwartz, King of Glory Lutheran Church, pronounced the invocation.

Mayor Brainard led the Pledge of Allegiance.

Mayor Brainard presented a Proclamation to Pastor Paul Schwartz for the project entitled “Make A Difference Day”.

RECOGNITION OF CITY EMPLOYEES AND OUTSTANDING CITIZENS:

There were none.

APPROVAL OF MINUTES:

Councilor Mayo made a motion to approve the Minutes of the October 3, 2006, Special Meeting. Councilor Griffiths seconded. There was no Council discussion. Council President Sharp called for the question. The Minutes were approved 7-0.

RECOGNITION OF PERSONS WHO WISH TO ADDRESS THE COUNCIL:

The following individuals spoke in opposition to Ordinance D-1830-06 (Gramercy TIF):

Angie Molt	740 W. Auman Drive, Carmel, IN
Phil Squier (attachment 1)	1315 Lawrence Road, Carmel, IN
Henry Winckler	411 Jenny Lane, Carmel, IN
Hilary Woodcock	506 Ash Drive, Carmel, IN
Eric Seidensticker (attachment 2)	612 Ash Drive, Carmel, IN

ACTION ON MAYORAL VETOES:

There were none.

CLAIMS:

Councilor Mayo made a motion to approve the claims in the amount of \$2,356,113.42. Councilor Griffiths seconded. There was no Council discussion. Council President Sharp called for the question. Claims were approved 7-0.

Councilor Mayo informed Council President Sharp that Item 6., Council, Mayoral and Clerk-Treasurer Comments/Observations, was skipped. Council President Sharp returned to item six on the agenda.

COUNCIL, MAYORAL AND CLERK-TREASURER COMMENTS/OBSERVATIONS:

Councilor Mayo discussed the dedication on October 14, 2006, of the Freedom Circle Veterans Memorial.

Councilor Carter discussed the ground breaking of Cornerstone Dentistry that took place October 16, 2006 at 3:30 p.m.

Councilor Sharp invited David Leazenby, Buckingham Companies, to clarify the Gramercy Tax Increment Financing (TIF) and Buckingham's revised commitments.

COMMITTEE REPORTS:

Councilor Rattermann reported that the Finance, Administration and Rules Committee met and discussed Ordinance D-1830-06, which was forwarded with a 1-1 vote to the full Council.

Councilor Glaser reported that the Land Use, Annexation and Economic Development Committee met and discussed Ordinance D-1782-05, Ordinance Z-496-06 and Ordinance Z-497-06. All three ordinances were forwarded with a 4-0 favorable recommendation to the full Council.

Councilor Carter reported that the Parks, Recreation and Arts Committee had not met.

Councilor Kirby reported that the Utilities, Transportation and Public Safety Committee had not met.

OLD BUSINESS

Council President Sharp announced the **Fifth Reading of Ordinance D-1782-05**; An Ordinance of the Common Council of the City of Carmel, Indiana, to Vacate a Segment of Right-Of-Way for River Road. Councilor Mayo made a motion to approve Ordinance D-1782-05. Councilor Kirby seconded. There was no Council discussion. Council President Sharp called for the question. **Ordinance D-1782-05** was adopted 7-0.

Council President Sharp announced the **Third Reading of Ordinance D-1830-06**; An Ordinance of the Common Council of the City of Carmel, Indiana, Authorizing the Issuance of the City of Carmel, Indiana Taxable Economic Development Revenue Bonds, Series 2006 B (Gramercy Development Partners, LLC Project), and the Lending of the Proceeds Thereof to Gramercy Development Partners, LLC (\$20,000,000 Tax Increment Financing). Councilor Kirby made a motion to approve Ordinance D-1830-06 including the commitments that were provided by Buckingham Companies. Councilor Carter seconded. There was no Council discussion. Council President Sharp called for the question. **Ordinance D-1830-06** was adopted 5-2 (Councilors Glaser and Rattermann opposed).

Council President Sharp announced the **Third Reading of Ordinance Z-496-06**; An Ordinance of the Common Council of the City of Carmel, Indiana, Change of Zoning Classification, Rezoning of 27+ Acres of Real Estate at Northeast Corner of 122nd Street and Pennsylvania Street from R-1/Residential and M-3/Manufacturing Park to B-3/Business Zoning Classification. Councilor Mayo made a motion to approve Ordinance Z-496-06. Councilor Kirby seconded. There was no Council discussion. Council President Sharp called for the question. **Ordinance Z-496-06** was adopted 7-0.

Council President Sharp announced the **Second Reading of Ordinance Z-497-06**; An Ordinance of the Common Council of the City of Carmel, Indiana, Amending the Sunset Provision of the Carmel Drive – Range Line Road Overlay Zone in the Carmel Zoning Ordinance. Councilor Kirby made a motion to approve Ordinance Z-497-06. Councilor Griffiths seconded. There was no Council discussion. Council President Sharp called for the question. **Ordinance Z-497-06** was adopted 7-0.

PUBLIC HEARINGS

Council President Sharp announced the **First Reading of Ordinance Z-498-06**; An Ordinance of the Common Council of the City of Carmel, Indiana, Change of Zoning Classification, Rezoning of 20+ Acres of Real Estate Along the East side of Cherry Tree Road and South of 146th Street from S-1/Residential to S-2/Residential Zoning Classification (Cherry Tree Grove). Councilor Rattermann made a motion to move this item into business. Councilor Mayo seconded. Councilor Rattermann referred to Matt Skelton, Attorney, Baker & Daniels, 600 E. 96th Street, Suite 600, Indianapolis, IN, for a presentation to Council. Mr. Skelton presented a letter from Dottie and Jeff Brisley to the Clerk-Treasurer that the Brisley's asked to be part of the record (attachment 3).

Councilor Kirby left the chamber.

There was no Council discussion. Council President Sharp opened the Public Hearing at 7:09 p.m. Seeing no one who wished to speak, Council President Sharp closed the Public Hearing at 7:10 p.m. There was brief Council discussion. Council President Sharp referred Ordinance Z-498-06 to the Land Use, Annexation and Economic Development Committee for further review and consideration.

NEW BUSINESS

Council President Sharp announced the **First Reading of Ordinance D-1829-06**; An Ordinance of the Common Council of the City of Carmel, Indiana, Amending Chapter 2, Article 5, Section 2-131 of the Carmel City Code (Purchasing Agencies and Purchasing Agents). Councilor Mayo made a motion to

move this item into business. Councilor Glaser seconded. Councilor Glaser referred to Clerk-Treasurer Diana L. Cordray for a presentation to Council. There was brief Council discussion.

Councilor Kirby returned to the chamber.

Council President Sharp referred Ordinance D-1829-06 to the Finance, Administration and Rules Committee for further review and consideration.

Council President Sharp announced the **First Reading of Ordinance D-1832-06**; An Ordinance of the Common Council of the City of Carmel, Indiana, Adopting and Adding Chapter 8, Article 5, Section 8-47, Subsection 8-47(a)(31) to the Carmel City Code (No Parking Areas on Shelborne Road). Council President Sharp informed Council that this item had not been properly moved into business on Tuesday, October 3, 2006. Councilor Rattermann made a motion to move this item into business. Councilor Glaser seconded. Councilor Kirby made a motion to suspend the rules and not send this item to committee and vote this evening. Councilor Griffiths seconded. There was no Council discussion. Council President Sharp called for the question. The motion was approved 7-0. There was no Council discussion. Council President Sharp called for the question. **Ordinance D-1832-06** was adopted 7-0.

Council President Sharp announced the **First Reading of Ordinance D-1833-06**; An Ordinance of the Common Council of the City of Carmel, Indiana, Fixing Salaries of Elected Officials of the City of Carmel, Indiana for the Year 2007. Councilor Kirby made a motion to move this item into business. Councilor Glaser seconded. Council President Sharp passed the gavel to Councilor Glaser to present this item to Council. There was no Council discussion. Councilor Glaser referred Ordinance D-1833-06 to the Finance, Administration and Rules Committee for further review and consideration.

Council President Sharp reclaimed the gavel from Councilor Glaser.

Council President Sharp announced **Resolution CC-10-16-06-01**; A Resolution of the Common Council of the City of Carmel, Indiana, Approving a Transfer of Funds within the Carmel Clay Ambulance Capital Fund (\$140,000). Councilor Carter made a motion to move this item into business. Councilor Mayo seconded. Councilor Carter presented this item to Council and referred to Carmel Fire Chief Doug Callahan and Mayor Brainard for clarification. There was brief Council discussion.

Councilor Kirby left the chamber.

Councilor Mayo made a motion to approve Resolution CC-10-16-06-01. Councilor Griffiths seconded. There was brief Council discussion. Council President Sharp called for the question. **Resolution CC-10-16-06-01** was adopted 6-0 (Councilor Kirby was not present).

OTHER BUSINESS

There was none.

ANNOUNCEMENTS

There were none.

EXECUTION OF DOCUMENTS

Mayor Brainard adjourned the meeting at 7:35 p.m.

Councilor Kirby returned to the chamber.

ADJOURNMENT

Respectfully submitted,

Clerk-Treasurer Diana L. Cordray, IAMC

Approved,

Mayor James Brainard

ATTEST:

Clerk-Treasurer Diana L. Cordray, IAMC